

REMARKS/ARGUMENTS

The present amendment is submitted in response to the Office Action dated August 2, 2007, which set a three-month period for response. Filed herewith is a Request for a One-month Extension of Time, making this amendment due by December 2, 2007, a Sunday, or by Monday, December 3, 2007.

Claims 15-20 and 24-27 are pending in the application.

In the Office Action, the Applicant's election with traverse of Group I, claims 15-27 was acknowledged, and the election requirement was still deemed proper and made final. Claims 15-20 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,437,783 to Lemelson. Claims 21-27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson.

In the present amendment, independent claim 15 has been amended to more clearly define the present invention over the cited reference to Lemelson. Claims 21-23 have been canceled, as their features are now incorporated into amended claim 15. Specifically, amended claim 15 now defines the following steps:

providing metallic fibers; and

compressing and fusing said metallic fibers together in a single process step, *wherein the fusing is performed with pulse fusing using surface-shaped electrodes, wherein said pulse fusing is capacitor pulse fusing, and wherein the fusing step is carried out in less than 1 s.*

The Applicant respectfully submits that Lemelson fails to disclose or suggest all of the above features of amended claim 15.

Lemelson discloses a method for producing a metallic fibrous mat in which metallic fibers are placed on the upper surface 23 of an electrode plate 22 of a press device 10. The device also includes a movable platen electrode 11 with a lower surface 12 for engaging and compressing the filament elements. When the filaments are to be fused and compressed, the movable electrode plate 11 is lowered toward the upper surface 23 of the plate 22 and compresses the filament elements against the upper surface of the lower member 22 (see Lemelson, column 2, lines 44-62).

Amended claim 15 defines that the metallic fibers are compressed and fused together in a single step. Contrary to the Examiner's assertion, Lemelson does not specifically disclose using "pulse fusing" (i.e., welding) in the sense of the present invention. Rather, the pulse disclosed in Lemelson refers to a "control pulse" of the control or steering system, not a fusing or welding pulse. Lemelson discloses that an "energizing input 17" may be "pulsed" to cause the controller 17 to cycle once and supply electrical energy or signals for controlling the servo 18 and the gating means 15, 16 for the welding power supply 14. (see column 3, lines 28-32).

Thus, Lemelson cannot be an appropriate reference either under MPEP section 2131, which indicates that to anticipate a claim a reference must teach every element of the claim in as complete detail as is contained in Applicant's claim, or under MPEP section 2143.03, since not all of Applicant's claim limitations are taught or suggested.

Withdrawal of the rejections is therefore respectfully requested.

The application in its amended state is believed to be in condition for allowance. However, should the Examiner have any comments or suggestions, or wish to discuss the merits of the application, the undersigned would very much welcome a telephone

call in order to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Becker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert W. Becker, Reg. 26,255
Attorney for Applicant(s)

ROBERT W. BECKER & ASSOCIATES
707 State Highway 333, Suite B
Tijeras, New Mexico 87059

Telephone: 505 286 3511
Telefax: 505 286 3524

RWB:rac